Previous references.

1902-03.

(S. R)

File No. 261 of 02-03.

Serial Nos. 1- 4.

Later references.

1.2.8–12. Ab. 1-2. B.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—4

Major ~~Part B.~~ for March 03.

SUBJECT.

Claim of Surapur Krishnamacha... to the Toddy revenue of Jodi Majara Hosahalli in Doddaballapur Taluk.

10583
Ex 394

5776
371

20 - 3 - 03.

From

The Excise Commissioner.

Submits the record of enquiry relating to the toddy revenue of the Jodi Majara Hosahalli in Doddaballapur talu...

G. R. S. 58

Calendared

157.

20-8-03.

To

The Excise Commissioner

States that the enquiry and the decision of the investigating officer are defective and sends back the record of enquiry with the observation that it must be resubmitted after making a complete enquiry and recording a full decision.

3359

5781
300

18-2-03

From

The Excise Commissioner

Submits a revised finding in the claim to the excise revenue of the Inam Village of Majara Hosahalli Doddaballapur Taluk

6415.

30-3-03

To

The Excise Commissioner
The Comptroller.

Passes orders on the claim of Surapur Krishnachar to the toddy revenue of Jodi Majara Hosahalli in the Doddaballapur Taluk

Indexed.

V. Ramaswamy

Court

(1) 1

~~Office of the Dewan of~~ Mysore.
Genl. Rlc. Secretariat
File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

With order
Hy 7/8

Genl
7/8.

Office Note.
SECTION A. R.
FILE No. 261 of 1902-03.
SERIAL No.

Branch Excise

Subject Grant toddy clause of Jodi Majara Hosahalli village, Chikkanayakanhalli Hobli Doddaballapur Taluk

Excise Commissioner's No. 5776-3718 dated 20th March 03.

Submitted

1. The enclosed record relates to the enquiry by Mr B. T. Kittaiswami Naick into the Inamdar's claim to Toddy Revenue of the Jodi Majara Hosahalli, Chikkanayakanhalli Hobli Doddaballapur Taluk

2 The investigating officer has allowed the Inamdars right to 1/5 of "free rent up to 98-99 and full tree rent for subsequent years".

3. The Excise Commissioner states he concurs with the investigating officer; but allows the Inamdars right only to 1/5th of the rent of the Grove Farm.

Court 1

(1) 1

~~Office of the Dewan of~~ Mysore.
Genl & Rev Secretariat
File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.
SECTION A. R.
FILE No. 261 of 1902-03.
SERIAL No.

Branch Excise

Subject Inam toddy claim of Jodi Majara Hosahalli village, Chikkanayakanhalli Hobli Doddaballapura Taluk

Excise Commissioner's letter no. 5776-3718 20th March 03.

Submitted

1. The enclosed record relates to the inquiry of Mr B. T. Kumaraswami Naick into the Inamdari claim to Toddy Revenue of the Jodi Majara Hosahally, Chikkanayakanhalli Hobli, Doddaballapur Taluk.

2. The investigating officer has allowed the Inamdars' right to 1/5 of "tree rent up to 98-99 and full tree rent for subsequent years".

3. The Excise Commissioner states he concurs with the investigating officer; but allows the Inamdars right only to 1/5th of the rent of the Grove Farm.

7

(2)

4. It is clear from the records that the right of the Inamdar under ~~clause~~ Rule 4 of Govt. Proceedings No 2074-83 / Dated 2nd August 1901 must be reconsidered; Govt as regards the Inamdar's right under Rules 8 and 17, the Survey Officer has ~~recorded~~ admitted it without the necessary information before hence while the Extra Commissioner has omitted to refer this point in his letter.

5. The Enquiry and the decision are thus ~~both~~ defective; and I submit that the records may be returned with the remark that they should be resubmitted after making a complete Enquiry and recording a 'full decision.

Desai
11/8/03

Please draft accdg.

Desai 10/8/03

Resubmitted with draft.

Desai 10/8/03

Subo the rec communication
Desai 11/8

(3)

6. The enquiry is dispensed. I agree & the case being sent back with the order proposed - The Rules with the Lubeni - Loans mistakes are clear & cannot know why reports should not come on in a form which would ~~enable~~ enable you saving final orders once for all — G

12/8/03

Submitted Lord Dewan

Dewan
13/8

12/8

12/99
13.8.03

G.R.S. 12]
General and Revenue Secretariat.

Ex. File No. 16 of 1901.

Serial No.	
2	To the Excise Comr in Empire, G.O: No: 157 dated the 10th August 1903. Ex. 916-01 Returning the records, with the observation that the enquiry & decision of the investigating officer are defective & that the matter should be resubmitted after making a complete enquiry & recording a full decision.
3	From the Excise Comr, No: 5781/300 of the 18.2.1905. Resubmits the records with his decision that the Inamdar is entitled to the tree-rent under Rules 2074-83 & R.7166-92 the 2.8.01.
	7. The records submitted does not show whether a further enquiry was made but the decision come to by the Excise Comr is complete & decisive. Please see paras 4 & 6 above.
	Submitted with a draft ~~fully referred~~ calling for the revised finding referred to in the letter which is not seen. K.S 27/2/05.
	27/2/05
	Draft noted to serial 4
	Passed 28-2-05
	28-2-05. 28/2/1905

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

Ef File No. Ue of 1901

Serial No.

2 the Excise Comm^r in Mysore, docket no: 5915 dated the 7.3.05.

Requests the Excise Comm^r to forward the revised finding received from the Dy: Comm^r.

from the Excise Comm^r, letter no: 6179 of 9.3.05. 314

States that the revised finding is in the file of Vernacular papers & is marked A in blue pencil.

Flag S

Submitted with a draft fully referenced:

K.S 000
11/3/05.

draft and copy
U

Draft submitted 15-3-05 to the Dewan Saheb thro the 1st Councillor

2202/22-3-05.

16-3-1905
U
16.3.05

The order proposed to be passed is in my opinion correct. Draft attached.

B

B.D
23-3-1905

23/3/05.

NOTE—Contn. sheet.

5505/23.3.05. U 23-3-05

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

E. File No. 16 of 1901

Serial No.	
4	To Kadyur in Coorg in Mysore & the Comptroller No. No H 645 of the 30/3/05 disallow the Poodari's claim to the Coorg revenue of the Jodi Nanjappa Hosahalli in the Tippaya Holeli, Doddahallapura Taluk.

MGCPB—20,000—1-11-04.

(1)

Excise Commissioner's office
Bangalore Dated. 20th March 1903
21st

No. 5776/371 Rec'd file

From

P. N. Purnaiya Esquire BA
Excise Commissioner
in Mysore

SECTION N.R.
FILE NO. 261 of 1902-03.
SERIAL NO. 1

To

H. V. Nunjundayya Esq. MA. ML
Secretary to the Government
H. H. The Maharaja of Mysore
General & Revenue Departme

Sir,

In submitting herewith the record of enquiry relating to the Toddy revenue of Jodi Majara-hosahally village, Tippur hobli, Doddaballapur taluk, I have the honour to state that I concur in the opinion of the investigating Officer, Mr. Komarasawmy Naik, Assistant Commissioner, that the Jodidar is not entitled to Excise Revenue from Toddy. In the Sannad Toddy Revenue is not mentioned. The Superintendent of Inam settlement in para 2 of his order dated 7th April 1879, in the

Settlement

(1)

Ex 394
& 28/3/03
1903

From

C. Purnaiya Esqr. BA.
Excise Commissioner
in Mysore

To

H. V. Nanjundayya Esqr. MA BL
Secretary to the Govt of
H. H. The Maharaja of Mysore
Gen & Rev. Dept.

Dated 20th
Despatched 21st } March 1903

Received

General No. 5876

No. 371

Enclosure No. 1 file

Subject

Submits the record of enquiry relating to the Toddy Revenue of Jodi Majara hosahally village Tippur hobli, Doddaballapur taluk.

Exin
28.3.03

Settlement Register, states as follows :- "All rights to Sayar, Abkari and Forest are reserved" In the same Register, under the head - 'Items enjoyed' "Toddy trees Rent" is included. The Jodidar requests that his right to the date trees in his village may be confirmed, and that the amount realized by the sale of his trees on 13th March 1892, Viz Rs 2- 2- 0, may be paid to him. Accordingly 1/5 of the rent of the "Grove Farm" is payable to him under Rule 4 in Government Proceedings No. 2074-83 / Ex. F. 166-92, dated 2nd august 1901.

S. R. 9-01-1

I have the honour to be,

Sir,

Your most obedient Servant

J. M. Greenaway

Excise Commissioner in Mysore

Mysore Govt., Gen. & Rev. Secretariat

Branch

File No. (if any) and its date—

SECTION J. R.

FILE No. 261 of 1902-03.

SERIAL No. 2

See I. R. 9 of 01.

* I.R. 9 of 01. M 1.

Office Draft. (2)

Progs. of the Govt. of H. H. the Maharaja of Mysore.

Read: Letter No 5776/371, dated 20th March 1903, from the Excise Commissioner in Mysore, submitting the record of enquiry into the claim to Excise Revenue of the Inam village of Majara Hosahally, Shiggaon Hobli, Doddaballapura Taluk.

Order: No 157/Ex 716-01 Dated 20/6/03.

1. Government regret to find that the enquiry and the decision of the Investigating Officer, Mr B. T. Kuvarswami Naidu B.A. are defective.

2. The Investigating Officer has erred in allowing the Inamdar's right to 1/5th of the rent upto 98-99 and full rent for the subsequent years; for, under Rules 8 and 17 of Govt. Order No * 2074-83/Ex. T. 166-92, dated 2 August 1901

the certain items of information, which were not before the investigating officer, were indispensably necessary.

3. The Excise Commissioners state that he concurs with the ~~[illegible]~~ investigating officer; but alleges the Examiner's right to only 1/5th of the rent of Grove Farm.

4. In these circumstances Govt. are obliged to send back the record of enquiry with the observation that it must be remitted after making a complete enquiry and recording a full decision.

12/8/03

Secy 18/8/03

03 854

16.VIII.03

Draft 18/V...

Draft
(6/8/03)

To
The Excise Commissioner

Excise Commissioner's Office,
Bangalore, dated February
1905.

No. 5781, filed from

SECTION J. R.
FILE NO. 261 of 1902-03.
SERIAL NO. 3.

From
V. A. Ramaiya, Esquire, B.A.,
Excise Commissioner
in Mysore

To
B. K. Venkatavarada Iyengar, Esquire,
Secretary to the Government of
His Highness the Maharaja of
Mysore General and Revenue
departments. Bangalore.

Dated
Despatched
Received
General No.
No. Suri,
Enclosure No.

Adverting to Government Proceedings
No. 157 / Ex. 7. 66-01, dated 20th August 1903
I have the
claim to the Excise Revenue
of the Inam village of Majra Nosahally,
Doddaballapur Taluk,
honor to submit the revised finding
received from the Deputy Commissioner,
Bangalore. The Inamdar is only
entitled to Toll rent under Rules
4, 8, and 16 of Government Proceedings
No. 2074-83 / R. 7. 166-92, dated 2nd August 1901.

* J. R. 90 of 01.
Sl. 1.

2. The record of the case is herein
enclosed.

I have the honor to be,
Sir,
Your most obedient Servant
[illegible]
for Excise Commissioner
in Mysore

11 mm 20/2/05 D. 3359

1905

FROM P. N. Tirumaya, Esquire, B.A.,
Excise Commissioner
in Mysore

To
B. K. Venkatadanda Ayyar, Esqr.
Secretary to the Government of
His Highness the Maharaja of
Mysore. General and Revenue
Departments. Bangalore.

Dated 18 February 1905

Despatched

Received

General No. 5781
No. 300

Enclosure No. Cycle

Subject

Submitting a report
finding amount the claim
to the Excise Revenue of
the Inam Village of Kaja
Nosahally, Doddaballapur
Taluk.

A Statement of Claims to Zaddy R[illegible]

Assistant Commissioner

Dodballapur Taluk		Name of Taluk
Tippur Hobly.		Name of Hobli, Samuthi or Magani
Jodi Majana Harihally village.		Name of Sarvamanya Jodi or Kayamgutty village
Sanjapura Krishnachar.		Name of Inamdar, Jotidar or Kayamgutdar
nil		Documents relied upon
nil		Witnesses Examined
Inamdar is not entitled to Zaddy Revenue but to 1/16th of the Grove Tarun rent up to the year 96-97 inclusive, and to enjoy free rent for the succeeding years:		Finding

Enquired into by B. J. Komarsamichetty Esq.

Bangalore District.

Amount awarded if any	Grounds of decision
The amount realized for the years 92-93 and up to 96-97 as per Accountant of the Excise Depart ment is as follows:—	(1) Whether or not the claim was barred by limitation at the time of the Lease granted by Government to the Plaintiff?
92-93 = 2 — " — " 93-94 = 2 — " — 6 94-95 = 3 — " — " 95-96 = 3 — " — " 96-97 = 3 — " — " 13 — " — 6	(2) Whether the Plaintiff is entitled to the relief prayed for?
The amount to be awarded to the Plaintiff is Rupees Three lakhs fifteen thousand one hundred and thirteen Rupees and 13 annas.	
2-9 P.	

Exhibits

DT 242

G.R.S. 28]

E. File No. 16-07

Serial No. 4

Diary No. of letter replied to 3662

Proceedings of the Government of His Highness the Maharaja of Mysore.

SECTION A. K.

FILE No. 261 of 1902-03

READ— SERIAL No. 1

GENERAL AND REVENUE SECRETARIAT.

(J. 16)

Correspondence

, the 30 March 1905 ending with letter no 5787 6179-3 dt. 9 March 1905 from the Excise Comr in Mysore, submitting the record of enquiry connected with the claim preferred by Swapan Krishnachar to the toddy revenue of Jodi Majane Hosahalli in Lippani Hobli Doddballapur Taluk, and stating that the Jodidar is entitled only to the

Date of issue do

Signed by Mr Subhawrao Patil

ORDER THEREON.—No.

over

Despatch

Cl.

23/3/05

5571

Issue

24. III. 05

25. 3. 1905

SUBJECT

Disallows the Jodidars claim to the toddy revenue of the Jodi Majane Hosahalli in the Lippani Hobli of the Doddballapur Taluk

MGCPB—9,000—11-9-04

Copied SR. 29/7

8

tree rent under para 4 of the rules printed with G.O. etc. 2074-83 - R.+. 166-92, dy the 2/8/1901.

Order thereon:- No Jb 6415 E+F 16-01 dy 30 March 1905

The Government observe that the Jodidar has not substantiated his claim to the toddy revenue of Mayane Hosahalli in the Sanad of 1816 granted by ~~His~~ H. The Maharaja there is no mention of the Jodidar's right to this item of revenue during the Inam Settlement all rights to Sayer, Abkari and Forest were expressly reserved and only the

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

right to the enjoyment of "Toddy Tree Rent" was conceded. Under these circumstances Rule 4 of the Rules sanctioned in Govt. Pro. of the 2nd August 90 applies to this case and the farming rent is payable to the poidar for the 5 years preceding 1897-98 is ⅘ of Rs 13.0.6 or Rs 2.9.8 as shown in the margin.

Year.	Gross farming rent of local Cess Rs As Ps
1892-93.	2 — —
1893-94.	2.0.6
1894-95.	3.0.0
1895-96.	3.0.0
1896-97.	3.0.0
Total	13.0.6

2. For 1897-98 he is under rule 8 entitled to a refund of tree rent at 4 annas for each tree tapped minus local Cess.

3. For subsequent years as there is no shop in the village rule 17 is inapplicable but the poidar is at liberty to avail himself of the concession allowed by Rule 16 and to make his own arrangements for leasing his trees to licensees of shops -

Rudolfo.

6.3.1905

Segretario

Pericoli

Le Vergini Comunali in Nuoro — Le Vigili Comunali

Le Vergini Comunali — also in Nuoro!!

Le Comunali Vigili.

Bene
15/3/905

15-3-905

(4)

Proceedings of the Government of His Highness the Maharaja of Mysore, Financial (Separate Revenue), dated 30th March 1905.

READ—

Correspondence ending with letter No. 6179-314, dated the 9th March 1905, from the Excise Commissioner in Mysore, submitting the record of enquiry connected with the claim preferred by Surapur Krishnachar to the toddy revenue of Jodi Majara Hosahalli in the Tippur Hobli, Dodballapur Taluk, and stating that the Jodidar is entitled only to the tree-rent under para 4 of the Rules printed with Government Order No. 2074-83—R. F. 166-92, dated the 2nd August 1901.

No. FL. 6415—Ex. F. 16-01, DATED BANGALORE, 30TH MARCH 1905.

ORDER THEREON.—The Government observe that the Jodidar has not substantiated his claim to the toddy revenue of Majara Husahalli. In the sannad of 1816, granted by His Highness the Maharaja of Mysore, there is no mention of the Jodidar's right to this item of revenue. During the Inam Settlement all rights to Sayer, Abkari and Forest were expressly reserved, and only the right to the enjoyment of toddy tree-rent was conceded. Under these circumstances, Rule 4 of the Rules sanctioned in Government Proceedings dated the 2nd August 1901, applies to this case and the farming rent payable to the Jodidar for the five years preceding 1897-98 is one-fifth of Rs. 13-0-6 or Rs. 2-9-8 as shown in the margin.

Year.	Grove farm rent exclusive of local cess. Rs. a. p.
1892-93	2 0 0
1893-94	2 0 6
1894-95	3 0 0
1895-96	3 0 0
1896-97	3 0 0
	13 0 6

2. For 1897-98 he is, under Rule 8, entitled to a refund of the tree-rent at 4 annas for each tree tapped minus local cess.

3. For the subsequent years, as there is no shop in the village, Rule 17 is inapplicable, but the Jodidar is at liberty to avail himself of the concession allowed by Rule 16 and to make his own arrangements for leasing his trees to the licensees of toddy shops.

B. K. VENKATA VARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Dept.

To—The Excise Commissioner in Mysore, returning the enclosures.
The Comptroller to the Government of His Highness the Maharaja of Mysore.

Exd.—C.V.

1904-05

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

FINANCIAL
(SEPARATE REVENUE)

PROCEEDINGS

Dated 30th March 1905

No. Fl. 6415 / Ex. F. 16-01

Passing orders on the claim of Surapur Krishnachar to the toddy revenue of Jodi Majara Hosahalli in the ~~Tiptur Taluk~~. Tiptur Taluk Holeli Doddaballapur Taluk

SBP—8-4-05—200